



Reprinted  
February 28, 2001

---

## HOUSE BILL No. 1882

---

DIGEST OF HB 1882 (Updated February 27, 2001 11:38 AM - DI 101)

**Citations Affected:** IC 8-1; IC 34-11; noncode.

**Synopsis:** Actions for recovery of delinquent utility bills. Provides that an action by a public or municipally owned utility, other than a telecommunications utility, to recover payment of a delinquent utility bill must be commenced within four years after the latest date of utility service covered by the bill. Prohibits a public or municipally owned utility, other than a telecommunications utility, from denying or disconnecting a customer's utility service on the ground that the customer has an outstanding or delinquent bill for utility service provided more than four years earlier. Provides that an action by a telecommunications utility to recover payment of a delinquent bill must be commenced within six years after the latest date of telecommunications service covered by the bill. Prohibits a telecommunications utility from denying or disconnecting a customer's telecommunications service on the ground that the customer has an outstanding or delinquent bill for telecommunications service provided more than six years earlier.

**Effective:** July 1, 2001.

---

---

### Pelath

---

---

January 17, 2001, read first time and referred to Committee on Commerce, Economic Development and Technology.  
February 5, 2001, reported — Do Pass.  
February 27, 2001, read second time, amended, ordered engrossed.

---

---

HB 1882—LS 7141/DI 101+



C  
o  
p  
y

Reprinted  
February 28, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1882

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 8-1-2-124 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2001]: **Sec. 124. (a) As used in this section, "telecommunications**  
4 **utility" means a telecommunications provider (as defined in**  
5 **IC 8-1-29-3) over which the commission has jurisdiction.**

6       **(b) Except as provided in subsection (c), an action by a public**  
7 **utility or a municipally owned utility against a customer or former**  
8 **customer to recover payment of a delinquent bill for utility service**  
9 **must be commenced within the four (4) year period of limitation**  
10 **set forth in IC 34-11-2-13(a). A public utility or a municipally**  
11 **owned utility may not:**

12       **(1) deny utility service to a customer; or**

13       **(2) disconnect the customer's utility service;**

14 **on the ground that the customer has an outstanding or delinquent**  
15 **bill for utility service provided more than four (4) years earlier.**

16       **(c) An action by a telecommunications utility against a customer**  
17 **or former customer to recover payment of a delinquent bill for**

HB 1882—LS 7141/DI 101+



telecommunications service (as defined in IC 8-1-29-4) must be commenced within the six (6) year period of limitation set forth in IC 34-11-2-13(b). A telecommunications utility may not:

(1) deny telecommunications service to a customer; or  
(2) disconnect the customer's telecommunications service; on the ground that the customer has an outstanding or delinquent bill for telecommunications service provided more than six (6) years earlier.

SECTION 2. IC 34-11-2-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. (a) Except as provided in subsection (b), an action by a:

(1) public utility (as defined in IC 8-1-2-1); or  
(2) municipally owned utility (as defined in IC 8-1-2-1); against a customer or former customer to recover payment of a delinquent bill for utility service must be commenced within four (4) years after the latest date of service covered by the delinquent bill.

(b) An action by a telecommunications utility (as defined in IC 8-1-2-124) against a customer or former customer to recover payment of a delinquent bill for telecommunications service (as defined in IC 8-1-29-4) must be commenced within six (6) years after the latest date of service covered by the delinquent bill.

SECTION 3. [EFFECTIVE JULY 1, 2001] IC 34-11-2-13, as added by this act, applies to causes of action accruing after June 30, 1997.

C  
o  
p  
y



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1882, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FRY, Chair

Committee Vote: yeas 8, nays 5.

C  
o  
p  
y

HB 1882—LS 7141/DI 101+



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1882 be amended to read as follows:

Page 1, line 3, delete "An action by a:" and insert **"As used in this section, "telecommunications utility" means a telecommunications provider (as defined in IC 8-1-29-3) over which the commission has jurisdiction."**

Page 1, delete lines 4 through 5, begin a new paragraph and insert:  
**"(b) Except as provided in subsection (c), an action by a public utility or a municipally owned utility"**.

Page 1, line 8, delete "IC 34-11-2-13." and insert **"IC 34-11-2-13(a)."**

Page 1, line 9, delete "(b)".

Page 1, run in lines 8 through 9.

Page 1, between lines 13 and 14, begin a new paragraph and insert:

**"(c) An action by a telecommunications utility against a customer or former customer to recover payment of a delinquent bill for telecommunications service (as defined in IC 8-1-29-4) must be commenced within the six (6) year period of limitation set forth in IC 34-11-2-13(b). A telecommunications utility may not:**

**(1) deny telecommunications service to a customer; or**  
**(2) disconnect the customer's telecommunications service;**  
**on the ground that the customer has an outstanding or delinquent bill for telecommunications service provided more than six (6) years earlier."**

Page 1, line 16, delete "An" and insert **"(a) Except as provided in subsection (b), an"**.

Page 2, between lines 5 and 6, begin a new paragraph and insert:

**"(b) An action by a telecommunications utility (as defined in IC 8-1-2-124) against a customer or former customer to recover payment of a delinquent bill for telecommunications service (as defined in IC 8-1-29-4) must be commenced within six (6) years after the latest date of service covered by the delinquent bill."**

(Reference is to HB 1882 as printed February 6, 2001.)

PELATH

C  
O  
P  
Y

